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Attorneys for Plaintiff
Mediagloss, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

MEDIAGLOSS, INC., a California
corporation,

Plaintiff;

v.

TENCENT AMERICA, LLC, a Delaware
limited liability company, and DOES 1-5,
inclusive,

Defendants.

Case No. C14-05554 RS

**STIPULATION TO ALLOW
FILING OF AMENDED COMPLAINT
AND ~~[PROPOSED]~~ ORDER**

1 Plaintiff Mediagloss, Inc. (“Mediagloss”) and Defendant Tencent America, LLC
2 (“Tencent”) hereby consent and stipulate as follows:

3 WHEREAS, Mediagloss filed a Complaint on December 19, 2014;

4 WHEREAS, Mediagloss’s currently operative complaint is its “corrected” Complaint
5 filed on December 22, 2014;

6 WHEREAS, Mediagloss seeks to file an Amended Complaint;

7 WHEREAS, the parties have met and conferred regarding the allegations contained in
8 Mediagloss’s proposed Amended Complaint;

9 WHEREAS, Mediagloss’s Amended Complaint is submitted concurrently herewith in
10 accordance with Civil L.R. 10-1;

11 WHEREAS, pursuant to Federal Rule of Civil Procedure 15(a)(2), Tencent consents to
12 Mediagloss’s filing of the Amended Complaint;

13 WHEREAS, by consenting to the filing of the Amended Complaint, Tencent is not in
14 any way conceding, and expressly reserves its rights to contest by all permissible procedures
15 and means, (a) the truth of any factual allegation in the Amended Complaint; and (b) the legal
16 or factual adequacy of any claim asserted in the Amended Complaint.

17 IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

18 1. That pursuant to Federal Rule of Civil Procedure 15(a)(2), Mediagloss’s
19 Amended Complaint shall be the now-operative pleading in the above-captioned litigation;

20 2. That pursuant to Federal Rule of Civil Procedure 15(a)(3), Tencent shall have 30
21 days from the service of the Amended Complaint in which to answer or otherwise respond to
22 the Amended Complaint.

1 Dated: August 20, 2015

GERARD FOX LAW, P.C.

2 By: /s/ Thomas P. Burke Jr.

3 Thomas P. Burke Jr.

4 Attorneys for Plaintiff
Mediagloss, Inc.

5
6 Dated: August 20, 2015

COVINGTON & BURLING LLP

7 By: /s/ Simon J. Frankel

8 Simon J. Frankel

9 Attorneys for Defendant
Tencent America, LLC

10
11
12 **ORDER**

13 Based upon the foregoing Stipulation and good cause appearing, IT IS SO ORDERED.

14
15 Dated: August 20, 2015

16 

17 Honorable Richard Seeborg
United States District Judge

ECF CERTIFICATION

I, Thomas P. Burke Jr., am the ECF User whose identification and password are being used to file this Stipulation to Allow Filing of Amended Complaint and [Proposed] Order. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Defendant's counsel has concurred in this filing.

Dated: August 20, 2015

GERARD FOX LAW, P.C.

By: /s/ Thomas P. Burke, Jr.
Thomas P. Burke Jr.